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MEMO ENDORSED

September 5, 2008

Please reply to New Jersey Office

VIA FEDERAL EXPRESS

The Honorable Denise L. Cote, U.S.D.J.
United States District Court, Southern District of New York
500 Pearl Street, Room 1040
New York, New York 10007

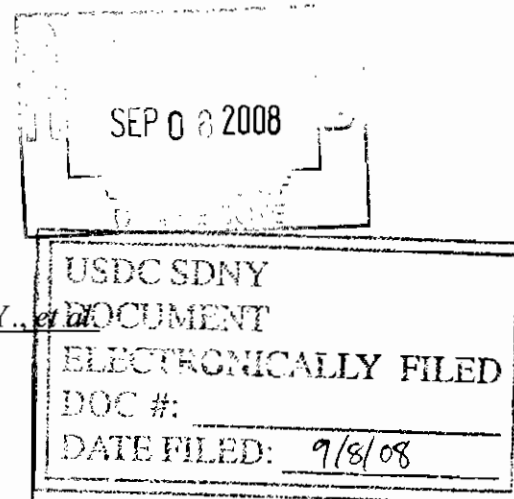
Re: Travelers Cas. and Sur. Co. v. Dormitory Auth. - State of N.Y., et al.
Civil Action No. 07-CV-6915 (DLC)

Dear Judge Cote:

This office represents Travelers Casualty and Surety Company ("Travelers"), and Trataros Construction, Inc. ("Trataros") in the above-captioned matter. As the Court will recall, a number of Fourth Party Defendant insurance carriers had requested a briefing schedule in connection with motions for Summary Judgment. In response, Your Honor entered an Order dated July 14, 2008 setting out a schedule under which Travelers' and Trataros' opposition papers were due to be filed on September 12, 2008 and the carriers' reply papers were due to be filed on September 19, 2008.

Subsequently, seven (7) separate motions for Summary Judgment were filed by the insurance carriers on August 8, 2008. Each motion must be addressed separately as each moving party has different legal and factual issues relating to their particular insureds, with several carriers issuing policies on behalf of more than one of the following entities: Trataros, Bartec Industries Inc., and G.M. Crocetti, Inc. To complicate the legal and factual issues further, certain moving carriers may have issued solely primary coverage or excess coverage which is implicated by the affirmative claims alleged herein by DASNY and/or TDX Construction, Corp. During this same time frame, the parties have been continuing with depositions and discovery in accordance with the Pre-Trial Scheduling Order.

In light of the large number of motions to which Travelers and Trataros must respond we respectfully request an extension of time of the briefing schedule with respect to four (4) of the seven (7) pending motions for Summary Judgment. We have obtained the consent of each party for which the two week extension is sought. Specifically, the following movants have consented to a two week extension of time with respect to our opposition papers as well as their reply papers: Kemper Casualty Insurance Company d/b/a Kemper Insurance Company ("Kemper"); Great American Insurance Company ("Great



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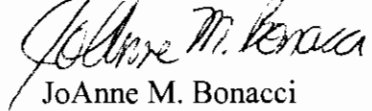
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American"); National Union Fire Insurance Company of Pittsburgh, PA ("National Union"); and, Zurich American Insurance Company d/b/a Zurich Insurance Company ("Zurich").

Consistent with the proposal agreed to by those four carriers, Travelers and Trataros respectfully request that the Court extend the deadline for filing their opposition papers until September 26, 2008, and the deadline for these carriers to file their reply papers be extended until October 10, 2008. This is the first request for an extension of time with respect to the motions filed by Kemper, Great American, National Union, and Zurich.

Respectfully submitted,



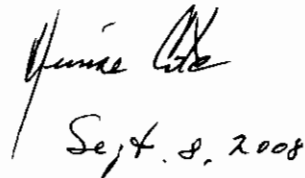
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JMB:mn

Encl.

cc: Orders & Judgments Clerk (via e-mail)
All Counsel of Record (via e-mail)

Granted -



Sept. 8, 2008